



## MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen  
*Chair*

Kenita V. Barrow  
*Vice Chair*

**November 15, 2016**

### **Waiver 16-10-027**

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Andritah Jones is an Income Assistance Program Specialist III with the Office of Eligibility Support Services (OESS) at the Department of Health and Human Services (DHHS). She requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that she can be employed by Greentree Shelter which is operated by the National Center for Children and Families (NCCF) which has several contracts with DHHS.

DHHS contracts with NCCF for a wellness center at a local high school and for shelter services and housing related services. One of the contracts specifically relates to critical transitional housing services for families at Greentree Shelter. While DHHS funds some of Greentree Shelter's operations through a contract, Ms. Jones's employment with Greentree Shelter will not be funded through the contract.

Ms. Jones's work at OESS does not involve making referrals to shelters. It is possible though that clients of Greentree Shelter will come to OESS for services. Ms. Jones has indicated that if she is approached for services by a client of the Shelter while she is working for the County, she will refer that person to a colleague.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b). The waiver is conditioned on Ms. Jones recusing herself from providing services on behalf of OESS to a person she knows to be a client of Greentree Shelter; furthermore, Ms. Jones may not, in her official capacity, refer DHHS clients to Greentree Shelter.

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In reaching this decision, the Commission has relied upon the facts as presented by Ms. Jones.

For the Commission:



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Steven Rosen, Chair